

DOCKET NO.: B1029.70001US00

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Victor M. Ilyashenko

Patent No.:

6,776,932 B1

Issued Date:

August 17, 2004

For:

POLYMERIC OPTICAL ARTICLES

Examiner:

Mathieu D. Vargot

Art Unit:

1732

Confirmation No.:

1310

#### **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Certificate of Correction Branch, Commissioner for Patents, 

**Certificate of Correction Branch** 

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Certificate

SEP 2 1 2004

Transmitted herewith are the following documents:

of Correction

- Request for Certificate of Correction Under 37 C.F.R. §1.323
- Certificate of Correction
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$100.00 is enclosed to cover the fee set forth in 37 C.F.R. §1.20(a). If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Victor M. Ilyashenko, Applicant

09/17/2004 RFEKADU2 00000099 6776932

01 FC:1811

100.00 np

By:

Michael J. Pomlanek, Ph.D., Reg. No.: 46,190

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

Telephone: (617) 646-8000

**xNDDx** 

SEP 2 2 2004



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Victor M. Ilyashenko, Applicant

By:

Michael J. Pomlariek, Ph.D., Reg. No.: 46,190

Wolf, Greenfield Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

Telephone: (617) 646-8000

**xNDDx** 

SEP 2 2 2004

# UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.

6,776,932 B1

DATED

August 17, 2004

INVENTOR(S)

Victor M. Ilyashenko

It is certified that errors appear in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

In Column 1, at line 14, "claims priority to" should read -- is a continuation-in-part of --

#### MAILING ADDRESS OF SENDER

PATENT NO. 6,776,932 B1

Michael J. Pomianek, Ph.D., Reg. No. 46,190 Wolf, Greenfield & Sacks, P.C. 600 Atlantic Avenue Boston, Massachusetts 02210

FORM PTO 1050 (Rev. 2-93) 825659.1

SEP 2 2 2004



Attorney's Docket No.: B1029.70001US00

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.

6,776,932 B1

Issue Date

August 17, 2004

**Applicants** 

Victor M. Ilvashenko

Filing Date

August 29, 2000

For

POLYMERIC OPTICAL ARTICLES

Examiner

Mathieu D. Vargot

Art Unit

1732

Conf. No.

1310

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached addressed to the Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September **/5**, 2004.

#### Certificate of Correction Branch

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.323

Dear Sir:

Applicant submits herewith a Request for Certificate of Correction under 37 C.F.R. §1.323 to correct an incorrect reference to a prior co-pending application in the priority claim language in column 1, lines 11-19 of the above-identified issued patent, which corrections do not constitute new matter or require re-examination.

Specifically, Applicants inadvertently did not properly indicate the relationship between International Application No. PCT/US98/12295, of which the instant patent was granted on a national stage filing thereof, and U.S. Patent Application Serial No. 08/873,952 (now U.S. Patent No. 6,086,999) to which the International Application claimed the benefit of priority. The priority claim should have recited that International Application No. PCT/US98/12295 is a continuation-inpart of U.S. Patent Application Serial No. 08/873,952, now U.S. Patent No. 6,086,999. The attached certificate of correction effects this correction. The mistake was made in good faith.

Applicants note that the instant application was granted on an application filed prior to November 29, 2000, and that, therefore, the version of 37 C.F.R. §1.78 in effect as of November 29, 2000 applies. Applicants further note that all of the requirements set forth in the version of 37

Serial Number: 09/445,733 Conf. No.: 1310

Docket No.: B1029.70001US00

Page 2 of 2

C.F.R. §1.78(a)(1) in effect as of November 29, 2000 have been met in the application that matured into the instant patent to be corrected. In addition, it is clear from the record of the patent and patent application that priority is appropriate. As evidence, Applicants include herewith a copy of:

(1) copies of the Transmittal Letter and PCT Request form submitted to the United States Receiving Office with International Application No. PCT/US98/12295 upon filing, which clearly indicates that the International Application designated the United States of America (page 2 of Request) and claimed priority to U.S. Patent Application Serial No. 08/873,952 (page 3 of Request); and

(2) a copy of the Notice of Status of Requirements Under 35 U.S.C. 371 form mailed by the U.S. Patent and Trademark Office upon receipt of the International Application indicating the International Application Number and acknowledging Applicant's priority date claimed (i.e. the 12 June 1997 filing date of U.S. Patent Application Serial No. 08/873,952).

The fee as set forth in 37 C.F.R. §1.20(a) of \$100.00 accompanies this request.

It is requested that the undersigned be contacted by telephone call at (617) 720-3500 with any questions relating to this Request.

Please charge any fee or any fee deficiency occasioned by t his Request to Deposit Account No. 23/2825.

Respectfully submitted,

Michael J. Ponlianek, Reg. No. 46,190

WOLF, GREENFIELD & SACKS, P.C.

600 Atlantic Avenue

Boston, MA 02210-2211

Tel. (617) 646-8000

## TRANSMITTAL LETTER 10 THE UNITED STATES RECEIVING OFFICE

Date	12 June 1998 (12.06.98)
International Application No.	
Attorney Docket No.	B1029/7001WO

						<u>L</u> .	Attorney L	ocket No.	BIG	129//UUI WO		
I.		Ce	rtificatio	n under	37 CFR 1.10	(if applicable)						
	EM529446915US						12 June 1998 (12.06.98)					
	Express Mail Mailing Number						Date of Deposit					
n.	I. New International Application											
•	TITLE POLYMERIC OPTICAL ARTICLES						Earliest priority date (Day/Month/Year)					
							12 June 1997 (12.06.97)					
·	SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):  A.   The invention disclosed was not made in the United States.  B.   There is no prior U.S. application relating to this invention.  C.   The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority.)											
	A	pplica	tion No.	08/87	3,952		filed	on 12	12 June 1997 (12.06.97)			
	. A	pplica	tion No.				filed	on				
III.	E. A. B. C.	application(s) identified in paragraph C above. The additional subject matter is found on pages and □ DOES NOT ALTER □ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15.  □ A Response to an Invitation from the RO/US. The following document(s) is/are enclosed:  A Request for An Extension of Time to File a Response  A Power of Attorney (General or Regular)										
			pages			of the request		pages			of the figures	
			pages			of the description	l .	pages			of the abstract	
		`	pages	<u> </u>	of the claims							
j	D.   Submission of Priority Documents							<del>.</del>				
	Priority document Priority document						•					
IV. V.	- i bequence histing biskette											
	☐ Applicant						GATES, Edward R.					
The person				'Agent	Typed Name of Signer							
			signing this form is the:  Reg. No. 31,6		o. 31,616	Edesa	L R	Gat				
	Representative			Signature								

#### REQUEST

Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a

	•				
PCT	For receiving Office use only				
REQUEST	International Application No.				
•	International Filing	International Filing Date			
The undersigned requests that the present international application be processed	International Printig Date				
according to the Patent Cooperation Treaty.	Name of manimine C	Section of the sectio			
	Office and "PCT International Application"				
	Applicant's or agent (if desired) (12 char				
Box No. I TITLE OF INVENTION POLYMERIC OPTICAL ARTICLES					
Box No. II APPLICANT					
Name and address: (Family name, followed by given name; for a legal entity, full offic address must include postal code and name of country. The count in this Box is the applicant's State (i.e. country) of residence if no indicated below.)	rv of the address indicated	This person is also inventor.			
BOSTON OPTICAL FIBER, INC. 155 Flanders Road Worthoversh Massachusetts 01581	Telephone No.				
Westborough, Massachusetts 01581 United States of America		Facsimile No.			
		Teleprinter No.			
State (i.e., country) of nationality: US	State (i.e., country) of	f residence: US			
This person is applicant for the purposes of:  all designated the United States  This person is applicant all designated States are the United States are the United States.	·	United States the States indicated in the Supplemental Box			
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER	) INVENTOR(S)				
Name and address: (Family name, followed by given name; for a legal entity, full offici address must include postal code and name of country. The country in this Box is the applicant's State (i.e. country) of residence if no Stindicated below.)	n of the address indicated	This person is:			
ILYASHENKO, Victor M.					
3122 Arbor Drive Shrewsbury, Massachusetts 01545		inventor only (if this check-box is			
United States of America		marked, do not fill in below.)			
State (i.e., country) of nationality: US	State (i.e., country) of	residence: RU			
This person is applicant all designated all designated States except for the purposes of:  all designated States except the United States of America only the States indicated in the Supplemental Box					
Further applicants and/or (further) inventors are indicated on a contin	uation sheet.				
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR	ADDRESS FOR CO	RRESPONDENCE			
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	X	agent common representative			
Name and address: (Family name, followed by given name; for a legal en designation. The address must include postal code an	tity, full official ad name of country.)	Telephone No. 617 720-3500			
GATES, Edward R. Wolf, Greenfield & Sacks, P.C.	Facsimile No. 617 720-2441				
600 Atlantic Avenue Boston, Massachusetts 02210 United States of America		Teleprinter No.			

Form PCT/RO/101 (first sheet) (January 1997; reprint January 1998)

special address to which correspondence should be sent.

Box No. V DESIGNATION OF LATES								
The following designations are hereby made under Rule 4.9(a) (mark the applicable check-boxes; at least one must be marked):								
Regional Patent								
					1000 L 1000 L 1000 L 1000 L 1000 L 1000 L			
	AP	ARIPO Patent: GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, SD Sudan, SZ Swaziland, UG Uganda, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT						
×	EA	Eurasian Patent: AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT						
×	₹] ЕР	European Patent: AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT						
. 🗵	OAPI Patent: BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment is desired, specify on dotted							
ľ		line)						
		nt (if other kind of protection or treatment desired, spe		_	d line):			
	AL	Albania		LT	Lithuania			
	_	Armenia	X	LU	Luxembourg			
	AT	Austria	$\times$	LV	Latvia			
	AU	Australia	X	_	Republic of Moldova			
X	AZ	Azerbaijan	X		Madagascar			
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X		China	X		Poland			
X		Cuba	X	PT	Portugal			
X		Czech Republic	$\times$	RO	Romania			
	DE	Germany	$\boxtimes$	RU	Russian Federation			
X	DK	Denmark	X	SD	Sudan			
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X	ES	Spain	$\overline{\mathbf{X}}$	SG	Singapore			
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図		Georgia	$\boxtimes$	SL	Slovakia			
ত্রি	GH		図		Sierra Leone			
X		Ghana		TJ	Tajikistan			
X	GW	Gambia	X	TM	Turkmenistan			
X		Guinea-Bissau	図	TR	Turkey			
		Hungary		TT	Trinidad and Tobago			
X	ID	Indonesia	X	UA	Ukraine			
X	IL	Israel	$\boxtimes$	UG	Uganda			
X	IS	Iceland	X	US	United States of America			
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$\boxtimes$	KR	Republic of Korea						
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X	national patent) which have become party to the PCT after issuance of							
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In addi	In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of							
The apr	olicant de	eclares that those additional designations are subject to	onfir	mation	and that any decimation which is not as a first of			
of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees.  Confirmation must reach the receiving Office within the 15-month time limit.)								
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Form PCT/RO/101 (second sheet) (January 1998)

Sheet No. 3

Box No. VI PRIORITY CLAIM Further priority claims are indicated ine Supplemental Box						
The priority of the following earlier application(s) is hereby claimed:						
Country (in which, or for which, the application was filed)		Filing Date  //month/year)	Application	on No.	Office of filing (only for regional or international application)	
item (1) US	12 June 1	1997 (12.06.97)	08/873	,952		
item (2)						
item (3)						
Mark the following check-box if the international application is the receiving Office is Bureau a certified copy	ceiving Office (a fed hereby requested t	f the earlier application of fee may be required): I to prepare and transmit plication(s) identified abo	to the International	i	for the purposes of the present	
		HING AUTHORITY				
Choice of International Searching are competent to carry out the inter	g Authority (ISA) rnational search,	) (If two or more Internindicate the Authority c	national Searching hosen; the two-lett	Authorities er code may be ı	used). ISA / EP	
Earlier search Fill in where a sear carried out or requested and the Au search. Identify such search or requ request.	rch (international, uthority is now reg uest either by refe	!, international-type or o guested to base the inter erence to the relevant ap	nther) by the International search, to oplication (or the tr	ational Searchir the extent possi anslation thereo	ng Authority has already been ble, on the results of that earlier of) or by reference to the search	
Country (or regional Office):	Date	te (day/month/year):		Number:		
Box No. VIII CHECK LIS	ST					
This international application contaithe following number of sheets:	ins This	s international applicatio	n is accompanied t	by the item(s) m	arked below:	
1. request : 03	sheets 1.	power of attorney		fee calculation		
2. description: 23 3. claims: 10	sheets 2.	copy of general power of attorney	6. 🗖	deposited micr	<del>-</del>	
4. abstract : 01	sheets 3.	statement explaining lack of signature	ing 7. 🗆	nucleotide and sequence listin	l/or amino acid g (diskette)	
5. drawings: 02 39	sheets 4.				: postcard, transmittal letter k	
Figure No. 1 of the drawings (if	anv) should accor		- is in published		<u> </u>	
	E OF APPLICAN		1 It is published.			
Next to each signature, indicate the name request).			nich the person signs	(if such capacity i	s not obvious from reading the	
<u>S979</u>	Swall at					
For receiving Office use only  1. Date of actual receipt of the purported						
international application:  2. Drawings						
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:						
1. Date of timely receipt of the required corrections under PCT Article 11(2)						
5. International Searching Authority specified by the applicant:	International Searching Authority specified by the applicant:  ISA /  6. Transmittal of search copy delayed until search fee is paid					
		For International Burea	au use only			
Date of receipt of the record copy by the International Bureau:						

### TO EDWARD R. GATES WOLF, GREENFIELD 600 ATLANTIC AVEN BOSTON MA 02210 DOCKETED JUL 1 5 1998

#### UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

NOTIFICATION OF STATUS OF REQUIREMENTS UNDER 35 U.S.C.371 DATE OF MAILING JUL 1 4 1998 FILE REFERENCE B1029/7001WO IDENTIFICATION OF INTERNATIONAL APPLICATION Priority Date Claimed International Filing Date International Application Number 12 JUN 97 12 JUN 98 PCT/US98/12295 Applicant for DO/EO/US BOSTON OPTICAL FIBER, INC. NOTIFICATION The applicant is hereby advised that the U.S. Patent and Trademark Office in its capacity as Designated Office Elected Office has received the following items as of the date of mailing indicated above. U.S. National fee [35 U.S.C.371 (c) (1)] Oath of declaration [35 U.S.C.371 (c) (4)] 2. Copy of International application as filed [35 U.S.C.371 (c) (2)] 3. Translation of Application [35 U.S.C.371 (c) (2)] 4. Amendments under PCT Article 19 [35 U.S.C.371 (c) (3) 5. Translation of PCT Article 19 Amendments [35 U.S.C.371 (c) (3) 6. Search Report or Declaration under PCT Article 17(2) [35 U.S.C.371 (a)] 7. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a) [35 U.S.C.371 (a)] Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3) (b) [35 U.S.C.371 (c) (5)] Other items received: 10. Assignment Document Prior Art Statement Preliminary Amendment Requirements for U.S. National processing have been met. Processing will A. [] commence at the expiration of the applicable time limit under either PCT Article 22 [35 U.S.C.371 (b)] or PCT Article 39 [35 U.S.C.371 (b)] on the date indicated below under the provisions of 35 U.S.C.371 (f) DATE OF COMMENCEMENT OF DATE UNDER 35 U.S.C.102(e) U.S. NATIONAL SERIAL# NATIONAL PROCESSING All correspondence submitted after the date of commencement of U.S. National processing indicated above should refer to the U.S. National Serial Number and the appropriate U.S. National processing organization or Officer. As the above identified application has been accepted for U.S. National processing under the provisions of 35 U.S.C.371 (f) before expiration of the applicable time limit under PCT Article 22 PCT Article 39, applicant is reminded that Amendments under PCT Article 19 and/or the International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a), and (b) and any translation thereof, if applicable, must be submitted to the Patent and Trademark Office as soon as they are available.

C. In order that U.S. National processing may begin, certain items must be received by the boy/Eo/US by the expiration of the applicable time-fimit under PCT Article 22 or Specifically:  1. U.S. National Fee 2. Oath or Declaration 3. Copy of Application 4. Translation of Application 5. Amendments under PCT Article 19, if any 6. Translation of PCT Article 19, Mendments, if applicable 7. Search Report or PCT Article 19(2) (a) declaration 9. International Preliminary Examination Report and its Annexes, if any, under PCT Article 16(3)(a), if applicable 9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 16(3)(b), if applicable THE ABOVI CHICAID INDIA MUST BE IDELY RECEIVED TO AVOID ARANDOMOUNT OF THE APPLICATION. (13 To.S., 371(d)) D. Further information for the applicant: The ABOVE IDENTIFIED ITEMS ARE NEEDED FOR ENTRY INTO THE NATIONAL STACE A REMINDER ONLY  UNITED STATES DESIGNATED/ELECTED OFFICE Authorized Office			
C. In order that U.S. Nationar grocessing may begin, certain items must be received by the OO/EO/US by the expiration of the applicable time-fimit under PCT Article 22 or PCT Article 22 or PCT Article 23 or Specifically:    1. U.S. National Fee	INTERNATIONAL APPLICATION NURBER	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT Article 22 or   PCT Article 39, specifically:	PCT/U598/12245	12 JUN 98	12JUN97
PCT Article 22 or   PCT Article 19, specifically:		of the expiration of the a	cercain items must be re- pplicable time timit under
Specifically:  1. U.S. National Fee 2. Oath or Declaration 3. Copy of Application 4. Translation of Application 5. Amendments under PCT Article 19. If any 6. Translation of 7c7 Article 19. Mendments, 11 applicable 7. Search Report or PCT Article 17(2) (a) declaration 9. International Preliminary Examination Report and its Annexes, 11 any, under PCT Article 36(3) (a), 11 applicable 9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 16(3) (b), 11 applicable 17EE ABOVE CHICAD ITEMS MOST BE THREET RECEIVED TO AVOID ARANDOMETEMT OF THE APPLICATION. (35 U.S.C.371(d)) 0. Further information for the applicant:  THE ABOVE IDENTIFIED ITEMS ARE NEEDED FOR ENTRY INTO THE NATIONAL STACE  A REMINDER ONLY  UNITED STATES DESIGNATED/ELECTED OFFICE  Authorized Only:  Commissioners in Authorized Office	PCT Arcicle 22	or i	
1. U.S. National Fee   2. Oath or Decláration   3. Copy of Application   4. Translation of Application   4. Translation of Application   5. Amendments under PCT Article 19. If any   6. Translation of PCT Article 19. Mendments, If applicable   7. Search Report or PCT Article 17(2) (a) declaration   9. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a), if applicable   9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 18(3) (b), if applicable   THE ABOVE CHICKED ITDUS MOST BY IDENTIFY RECEIVED TO AVOID ABANDONDENT OF THE APPLICATION. [35 U.S.C.371(d))   0. Further information for the applicant:  THE ABOVE IDENTIFIED ITDUS ARE NEEDED FOR ENTRY INTO THE NATIONAL STACE   A REMINDER ONLY   A Advorage of the search of the sear	Specifically:		
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